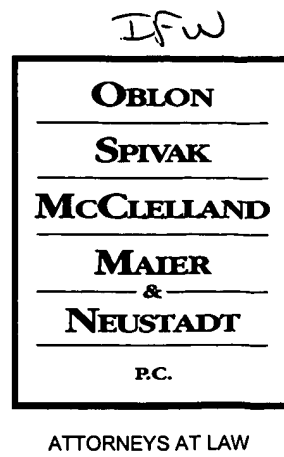




Docket No.: 258319US6PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/508,406
Applicants: Mikinori MATSUDA, et al.
Filing Date: September 21, 2004
For: RECORDING MEDIUM,
RECORDING/REPRODUCING DEVICE, AND
RECORDING/REPRODUCTION METHOD
Group Art Unit: 2652
Examiner: NGUYEN, L.T.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

We have not included a check as we do not believe any fee is required. In the event there are any Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Bradley D. Lytle

Registration No. 40,073

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)



DOCKET NO. 258319US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MIKINORI MATSUDA, ET AL. : EXAMINER: NGUYEN, L.T.
SERIAL NO: 10/508,406 :
FILED: SEPTEMBER 21, 2004 : GROUP ART UNIT: 2652
FOR: RECORDING MEDIUM, :
RECORDING/REPRODUCING DEVICE,
AND RECORDING/REPRODUCTION
METHOD

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated August 23, 2005, Applicants in the above-identified patent application provisionally elect Group I, Claims 1-5, drawn to a disk cartridge/recording medium.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be of an overlapping search area. Accordingly, Applicants respectfully **traverse** the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Application No. 10/508,406
Reply to Office Action of August 23, 2005

However, if the present Restriction Requirement is not withdrawn, examination on the merits of the Claims of Group I is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Bradley D. Lytle
Registration No. 40,073

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